

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Masayuki TSUCHIYA *et al.*
Title: SUGAR-CHAIN-ALTERED ANTI-HM1.24 ANTIBODY
Appl. No.: 10/567,856
International Filing Date: 8/11/2004
371(c) Date: 2/10/2006
Examiner: Chun Wu DAHLE
Art Unit: 1644
Confirmation Number: 5614

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission **required** under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

- ☒ Please enter and consider the amendment and/or reply previously filed on October 20, 2009 and October 22, 2009 .
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply previously filed on ____.
- ☐ Other ____.

b. Enclosed are:

- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO/SB/08 with copies of ____ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|------------|------------|
| RCE Fee 1.17(e): | | | | \$810.00 | = \$810.00 |
| Total Claims: | 12 | - 20 | = 0 | x \$52.00 | = \$0.00 |
| Independents | 1 | - 3 | = 0 | x \$220.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | + \$390.00 | = \$0.00 |
| CLAIMS FEE TOTAL: | | | | | = \$810.00 |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:


| | | | |
|--|------------|---|----------|
| <input checked="" type="checkbox"/> Extension for response filed within the first month: | \$130.00 | 1 | \$130.00 |
| <input type="checkbox"/> Extension for response filed within the second month: | \$490.00 | | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the third month: | \$1,110.00 | | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fourth month: | \$1,730.00 | | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fifth month: | \$2,350.00 | | \$0.00 |
| EXTENSION FEE SUBTOTAL: | | | \$130.00 |
| EXTENSION FEE ALREADY PAID: | - | | \$0.00 |
| EXTENSION FEE TOTAL | | | \$130.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | | \$940.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): | | | \$0.00 |
| <input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c) | | | \$0.00 |
| TOTAL FEE: | | | \$940.00 |

The above-identified fees of \$940.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 20, 2009 By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4726
Facsimile: (202) 672-5399

Simon J. Elliott
Attorney for Applicant
Registration No. 54,083